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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
EUGENE DIVISION

WILLIAN BANGS AND MARLENE
BANGS,

Plaintiff,

v.

QUALITY LOAN SERVICES
CORPORATION OF WASHINGTON, a
Washington Corporation,

Defendant.

Case No. 6:12-cv-1543-AA

**MOTION TO DISMISS PLAINTIFFS'
COMPLAINT FOR LACK OF SUBJECT
MATTER JURISDICTION**

I. LR 7-1 CERTIFICATE OF CONFERRAL

Counsel for Defendant, Quality Loan Services Corporation of Washington, certifies that he conferred with Plaintiffs' counsel prior to filing this motion. The parties were not able to resolve this dispute.

II. MOTION

Pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(h)(3), Defendant respectfully moves this Court for an order dismissing Plaintiffs' Complaint with prejudice for lack of subject matter jurisdiction.

This motion is supported by Defendant's accompanying Request for Judicial Notice, Memorandum in Support of Motion to Dismiss Plaintiffs' Complaint for Lack of Subject Matter Jurisdiction, the Declaration of Robert B. Hakari in Support of Defendant's Request for Judicial Notice and Defendant's Motion to Dismiss Plaintiffs' Complaint for Lack of Subject Matter Jurisdiction, and the files and records of this case.

DATED: December 26, 2012

McCarthy & Holthus, LLP

/s/ Robert B. Hakari

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CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing **MOTION TO DISMISS PLAINTIFFS' COMPLAINT FOR LACK OF SUBJECT MATTER JURISDICTION** on the defendants herein on the date below as follows:

By notice of electronic filing using the CM/ECF System:

Shannon D. Sims, OSB #072029
610 SW Alder, Suite 502
Portland, OR 97205
Attorney for Plaintiffs

Dated: December 26, 2012

McCarthy & Holthus, LLP

/s/ Robert B. Hakari

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